

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

THE PORTLAND MINT,)
)
)
Plaintiff,)
)
)
v.)
)
)
 No. 20-518C
)
 (Judge Horn)
THE UNITED STATES,)
)
)
Defendant.)
)

DEFENDANT'S SECOND MOTION FOR AN
ENLARGEMENT OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT

Pursuant to Rule 6(b) of the Rules of the United States Court of Federal Claims, defendant, the United States, respectfully requests an enlargement of time of 28 days, to and including September 25, 2020, within which to file our response to the complaint filed by plaintiff, The Portland Mint. Our response is currently due on August 28, 2020. This is our second request for an enlargement for this purpose, after having been granted an enlargement of 60 days. Counsel for Portland Mint has indicated that plaintiff will oppose this request.

Good cause exists for this motion. As required by 28 U.S.C. § 520, counsel for the defendant requested that the agency, the United States Bureau of the Mint, provide a litigation report to include a draft response to the complaint. The agency provided a litigation report to undersigned counsel on August 6, 2020. After receiving the litigation report, undersigned counsel requires additional time to review materials, draft our response, coordinate with the agency, and obtain required approvals before filing our response.

The additional time requested is necessary because of other work commitments—some arising after we filed our original motion for enlargement—that have required and continue to require undersigned counsel's attention, including, in the Court of Federal Claims: (1) active

discovery in *Entergy Nuclear Indian Point 2, LLC v. United States*, Fed. Cl. No. 19-949C; (2) active discovery in *Holtec Pilgrim, LLC v. United States*, Fed. Cl. 19-1159; (3) active discovery in *Advanced Powder Solutions, Inc. v. United States*, Fed. Cl. No. 20-137C; (4) answer in *Boston Edison Company, et al., v. United States*, Fed. Cl. No. 20-529C, which is currently due on August 28, 2020; (5) motion to dismiss and motion for summary judgment in *Vanquish Worldwide, LLC v. United States*, Fed. Cl. No. 17-96C, which is currently due on October 9, 2020; (6) active discovery, including preparation for upcoming depositions, in *Vanquish Worldwide*; and (7) filing of administrative record in *Clifford Hilaire v. United States*, Fed. Cl. No. 20-894C, which is currently due on September 11, 2020; and in the Court of Appeals for the Federal Circuit: (1) response to petition for panel rehearing and *en banc* rehearing filed in *Gadsden Industrial Park, LLC v. United States*, Fed. Cir. No. 18-2132, which is currently due on August 28, 2020; (2) response brief in *Camille Mauro v. Social Security Administration*, Fed. Cir. No. 20-1252, which will be due within 21 days after petitioner's opening brief is filed, which is currently overdue; (3) response brief in *Billie O. Stone v Secretary of Veterans Affairs*, Fed. Cir. No 20-1732, which is currently due on September 11, 2020; (4) response brief in *Gary R. Larson, Jr. v. Robert Wilkie*, Fed. Cir. No. 20-1647, which is currently due on September 28, 2020; in the Court of International Trade: oral argument in *United Steel and Fasteners, Inc. v. United States*, Ct. Int'l Trade No. 15-113, which occurred July 28, 2020.¹ The response in *Gadsden*, the oral argument in *United Steel and Fasteners*, and the filing of the administrative record in *Hilaire* were all scheduled/assigned after our previous motion. In addition,

¹ Due to the busy schedule, undersigned counsel will likely seek enlargements in some of the other matters identified in this list.

undersigned counsel must complete an additional 96 hours (or 24, four-hour periods, which will be performed via telework) of Air Force Reserve duty before the end of September 2020.

Accordingly, we respectfully request that the Court grant our second request for an enlargement of time of 28 days, to and including September 25, 2020, within which to file our response to plaintiff's complaint.

Respectfully Submitted,

ETHAN P. DAVIS
Acting Assistant Attorney General

ROBERT E. KIRSCHMAN, JR.
Director

/s/ Deborah A. Bynum
DEBORAH A. BYNUM
Assistant Director

/s/ Eric J. Singley
ERIC J. SINGLEY
Trial Attorneys
Commercial Litigation Branch
Civil Division
Department of Justice
P.O. Box 480
Ben Franklin Station
Washington, D.C. 20044
Tele: (202) 616-1273
Fax: (202) 307-0972
eric.j.singley@usdoj.gov

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Attorneys for Defendant